

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

The Prevention of Black Marketing and Maintenance of Supplies of Essential Commodities Act, 1980 – Order of detention made by the Collector and District Magistrate, SPSR Nellore District in respect of Sri Attrambakkam Ayyappa alias Ayyappa Reddy, S/o. Subbaramireddy - Representation - Considered and Rejected – Orders- Issued.

GENERAL ADMINISTRATION (LAW AND ORDER.II) DEPARTMENT

G.O.Rt.No. 4470

Dated 02.08.2008.
Read the following:-

1. Order of detention Rc. No. B/596/08, dated 21.06.2008 of the Collector & District Magistrate, SPSR Nellore District.
2. G.O. Rt. No. 3792, G.A. (L&O.II) Dept., dated 27.06.2008.
3. From Sri Attrambakkam Ayyappa alias Ayyappa Reddy, S/o. Subbaramireddy, representation dated 07.07.2008 received through the Superintendent, Central Prison, Cherlapalli, R.R. District.

O R D E R:

The Collector and District Magistrate, Sri Potti Sree Ramulu Nellore District, made an order of detention, vide reference first read above under Section-3(2)(a) read with Section 3(1) of the Prevention of Black Marketing and Maintenance of Supplies of Essential Commodities Act, 1980, in respect of Sri Attrambakkam Ayyappa alias Ayyappa Reddy, S/o. Subbaramireddy, aged 33 years, native of Vatambedu village, R/o. Kapu Street, Sullurpeta with a view to prevent him from further indulging in black marketing activities in a manner prejudicial to the maintenance of supplies of commodities essential to the community. In the G.O. second read above, Government accorded its approval in respect of the order of detention under Sec. 3(2) of the said Act.

2. Sri Attrambakkam Ayyappa alias Ayyappa Reddy, S/o. Subbaramireddy in his representation third read above, has requested the Government to release him after declaring his detention as illegal mainly on the ground that the Prevention of Black Marketing of Maintenance of Supplies of Essential Commodities Act, 1980 deals with the essential commodities. In this case the Essential Commodities shown is Rice. He contended that the GOI has deleted "rice" from the list of Essential Commodities by virtue of introducing G.S.R. 104(E) dated 15.02.2002 and the Govt. of A.P. issued orders in G.O.Ms.No. 79, dated 29.06.2002 rescinding the A.P. Paddy and Rice (Requisitioning of Stocks) Order 1966 and also stated that the entire allegations made against him are false, invented and fabricated and requested to enquire into the bonafides and release him from detention.

3. Government have examined the representation in the light of material placed before them. The contention of the detenu is not correct and the Prevention of Black Marketing and Maintenance of Supplies of Essential Commodities Act, 1980 is an Act to provide for detention in certain cases for the purpose of prevention of Black Marketing and maintenance of supplies of commodities and the Act, does not prescribe any commodity as essential and hence the deletion of rice under the Act, does not have any bearing. GSR 104(E), dated 15.02.2002 pertains to the dealer and for the removal of licensing requirements, stock limit, movement restrictions on specified food stuffs. In terms of clause 3, any dealer may freely buy stock, transport, distribute, dispose, acquire, use or consume any quantify of

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wheat, paddy/rice, coarse grain, sugar, edible oil seeds, edible oils and shall not require a permit or license under E.C. Act, 1955. Thus the order GSR 104(E) dated 15.02.2002 applies only to the dealer and not persons who indulged or likely to indulge in acts prejudicial to the maintenance of supplies of commodities to the public.

4. The Government came to the conclusion that the representation is devoid of any merit and reject the request of Sri Attrambakkam Ayyappa @ Ayyappa Reddy, S/o. Subbaramireddy, to set aside the order of detention passed by the Collector & District Magistrate, Sri Potti Sree Ramulu Nellore District.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

P. RAMAKANTH REDDY
CHIEF SECRETARY TO GOVERNMENT

To
Sri Attrambakkam Ayyappa @ Ayyappa Reddy, S/o. Subbaramireddy, through the Superintendent, Central Prison, Cherlapalli, Ranga Reddy District.

Copy to:- The Superintendent, Central Prison, Cherlapalli, R.R. Dist. (He should serve the Order of the detenu immediately under proper acknowledgement and arrange to read over and explain the contents of the same in the language known to the detenu and report compliance to the Government forthwith)

The Collector and District Magistrate, SPSR Nellore District.
Sf/sc.

//FORWARDED :: BY ORDER//

SECTION OFFICER (SC)